

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

DAVID GRENKE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,
a Delaware Corporation,

Defendant.

Case No. 2:12-cv-14221-GCS-MKM

Hon. George C. Steeh

ROSE COULTER-OWENS,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

TIME INC., a Delaware Corporation,

Defendant.

Case No. 2:12-cv-14390-GCS-MKM

Hon. George C. Steeh

PLAINTIFFS' UNOPPOSED MOTION TO LIFT THE STAY

Plaintiffs Rose Coulter-Owens and David Grenke ("Plaintiffs"), by and through the undersigned counsel, respectfully move to lift the stay in the *Coulter-Owens v. Time Inc.*, No. 2:12-cv-14390 (E.D. Mich.) and *Grenke v. Hearst Communications, Inc.*, No. 12-cv-14221 (E.D. Mich.) actions. In support of their unopposed motion, Plaintiffs state as follows:

1. On March 19, 2014, the Court entered the parties' Stipulated Order to

Stay Actions and Extend Deadlines while they engaged in settlement discussions. (*Coulter-Owens* Dkt. 58; *Grenke* Dkt. 52.)

2. As part of those discussions, the parties in the *Coulter-Owens* and *Grenke* actions participated in a private mediation on May 6, 2014 with Professor Eric Green of Resolutions, LLC, in Boston, Massachusetts.

3. However, after engaging in a full-day mediation presided over by Professor Green, the parties were unable to reach agreement in either case and determined that further settlement efforts would not be productive at this time.

4. Accordingly, Plaintiffs respectfully request that the Court lift the stay and allow the parties to proceed in accordance with the schedule set forth by the Court's March 19, 2014 Order (*Coulter-Owens* Dkt. 58; *Grenke* Dkt. 52).¹

5. Plaintiffs have conferred with Defendants' counsel, and Defendants' counsel does not oppose this motion; provided however that any responses and/or objections to discovery requests shall not be required until thirty days after the filing of answers, which shall occur no later than June 23, 2014.

¹ As reported to the Court pursuant to Local Rule 41.1, a class-wide settlement in principal has been reached in the third case that was stayed by the Court's March 19, 2014 Order, *Halaburda v. Bauer Publishing Co., LP*, No. 12-cv-12831. The plaintiff in that action is currently in the process of negotiating certain remaining terms, drafting a formal settlement agreement, and preparing preliminary approval papers, and as such, believes that the litigation stay should remain in place as to that action.

WHEREAS, Plaintiffs respectfully request that the Court enter an Order (i) lifting the stay in the *Coulter-Owens v. Time Inc.*, No. 2:12-cv-14390 (E.D. Mich.) and *Grenke v. Hearst Communications, Inc.*, No. 2:12-cv-14221 (E.D. Mich.) actions, and (ii) providing all other or further relief that the Court deems equitable and just.

Respectfully submitted,

Dated: May 16, 2014

**Plaintiffs David Grenke and
Rose Coulter-Owens**

By: s/ J. Dominick Larry
One of Plaintiffs' Attorneys

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CERTIFICATE OF SERVICE

I, J. Dominick Larry, an attorney, certify that on May 16, 2014, I served the above and foregoing by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the court's CM/ECF electronic filing system.

s/ J. Dominick Larry